

## **AMENDMENT**

### **In the Claims**

The claims of the application have been amended as shown in the following marked-up copies of the claims.

### **Listing of Claims**

1. (original) A shoe comprising:

a midsole having a midsole bottom surface, a midsole top surface, and midsole medial and lateral side surfaces extending up from the midsole bottom surface;

an outsole having an outsole forefoot portion and an outsole heel portion, the outsole forefoot portion being adjacent the midsole bottom surface, the outsole heel portion being adjacent the midsole bottom surface;

an upper having an upper heel portion, an upper medial portion and an upper lateral portion, the upper heel portion being laterally between the upper medial portion and the upper lateral portion, the upper extending up from the midsole;

a closure system having a medial closure portion operatively connected to the upper medial portion and a lateral closure portion operatively connected to the upper lateral portion, the closure system being adapted for movement between a tensioned condition and a loosened condition, the tensioned condition being a condition in which the closure system maintains the medial closure portion a tightened distance from the lateral closure portion, the loosened condition being a condition in which the closure system maintains the medial closure portion a loosened distance from the lateral closure portion, the loosened distance being greater than the tightened distance;

a sole stiffening member having a connecting portion, a forefoot engageable portion extending generally forward from the connecting portion, a heel engageable portion extending

generally rearward from the connecting portion, a medial wing portion extending generally medially from the connecting portion, and a lateral wing portion extending generally laterally from the connecting portion, the forefoot engageable portion secured to the outsole forefoot portion, the heel engageable portion secured to the outsole heel portion, the medial wing portion having a medial distal tip portion, the lateral wing portion having a lateral distal tip portion, the medial and lateral wing portions being positioned such that at least a portion of a straight line segment extending from the medial distal tip portion to the lateral distal tip portion is spaced over at least a portion of the midsole top surface, the portion of the midsole top surface being between the portion of the line segment and a portion of the midsole bottom surface, the sole stiffening member being adapted to provide increased support in a shank area of the shoe.

2. (original) A shoe as set forth in claim 1 further comprising a securing system having a heel securing portion located adjacent the upper heel portion, a medial instep securing portion extending generally forward from the heel securing portion and being operatively connected to the medial closure portion, a lateral instep securing portion extending generally forward from the heel securing portion and being operatively connected to the lateral closure portion, a medial attaching portion extending generally downward from the heel securing portion and the medial instep securing portion, and a lateral attaching portion extending generally downward from the heel securing portion and the lateral instep securing portion, the medial attaching portion being operatively connected to the medial wing portion of the sole stiffening member, the lateral attaching portion being operatively connected to the lateral wing portion of the sole stiffening member, the securing system being adapted to interact with the closure system such that placing

the closure system in the tensioned condition creates securing forces directed toward a wearer's foot from the securing system and the sole stiffening member.

3. (original) A shoe as set forth in claim 1 further comprising a securing system having a heel securing portion located adjacent the upper heel portion, a medial instep securing portion extending generally forward from the heel securing portion and being operatively connected to the medial closure portion, a lateral instep securing portion extending generally forward from the heel securing portion and being operatively connected to the lateral closure portion, a medial attaching portion extending generally downward from the heel securing portion and the medial instep securing portion, and a lateral attaching portion extending generally downward from the heel securing portion and the lateral instep securing portion, the medial attaching portion being operatively connected to the medial wing portion of the sole stiffening member, the lateral attaching portion being operatively connected to the lateral wing portion of the sole stiffening member, the securing system being adapted to interact with the closure system such that placing the closure system in the tensioned condition moves a portion of the outsole and a portion of the upper heel portion toward a wearer's foot.

4. (original) A shoe as set forth in claim 1 further comprising a securing system having a heel securing portion located adjacent the upper heel portion, a medial instep securing portion extending generally forward from the heel securing portion and being operatively connected to the medial closure portion, a lateral instep securing portion extending generally forward from the heel securing portion and being operatively connected to the lateral closure portion, a medial attaching portion extending generally downward from the heel securing portion and the medial

instep securing portion, and a lateral attaching portion extending generally downward from the heel securing portion and the lateral instep securing portion, the medial attaching portion being operatively connected to the medial wing portion of the sole stiffening member, the lateral attaching portion being operatively connected to the lateral wing portion of the sole stiffening member, the securing system being adapted to interact with the closure system such that placing the closure system in the tensioned condition compresses a portion of the shoe between a wearer's foot and the sole stiffening member and the securing system.

5. (original) A shoe as set forth in claim 1 further comprising a securing system having a heel securing portion located adjacent the upper heel portion, a medial instep securing portion extending generally forward from the heel securing portion and being operatively connected to the medial closure portion, a lateral instep securing portion extending generally forward from the heel securing portion and being operatively connected to the lateral closure portion, a medial attaching portion extending generally downward from the heel securing portion and the medial instep securing portion, and a lateral attaching portion extending generally downward from the heel securing portion and the lateral instep securing portion, the medial attaching portion being operatively connected to the medial wing portion of the sole stiffening member, the lateral attaching portion being operatively connected to the lateral wing portion of the sole stiffening member, the securing system being adapted to interact with the closure system such that placing the closure system in the tensioned condition places the sole stiffening member and the securing system in tension.

6. (currently amended) A shoe as set forth in claim 4 5 wherein the securing system and the sole stiffening member are a single unitary piece.

7. (original) A shoe as set forth in claim 1 wherein the forefoot engageable portion of the sole stiffening member is between the midsole bottom surface and the outsole forefoot portion, and the heel engageable portion of the sole stiffening member is between the midsole bottom surface and the outsole heel portion.

8. (original) A shoe as set forth in claim 1 wherein the sole stiffening member has a sole stiffening member hardness and the securing system has a securing system hardness, the sole stiffening member hardness being greater than the securing system hardness.

9. (original) A shoe as set forth in claim 1 wherein the forefoot engageable portion of the sole stiffening member includes a medial tab and a lateral tab, the medial tab extending from the connecting portion toward the midsole medial side surface, the lateral tab extending from the connecting portion toward the midsole lateral side surface.

10. (original) A shoe as set forth in claim 1 wherein the sole stiffening member provides increased support in the shank area of the shoe in a vertical direction.

11. (original) A shoe as set forth in claim 1 wherein the sole stiffening member is adapted to translate forces from a heel region of the shoe to a forefoot region of the shoe as the heel region of the shoe strikes the ground.

12. (original) A shoe as set forth in claim 1 wherein the sole stiffening member is adapted to interact with the midsole such that a portion of the midsole bottom surface adjacent the sole stiffening member is compressed as the shoe bends during use.

13. (original) A shoe comprising:

    a midsole having a midsole bottom surface, a midsole top surface, and midsole medial and lateral side surfaces extending up from the midsole bottom surface;

    an outsole having an outsole forefoot portion and an outsole heel portion, the outsole forefoot portion being adjacent the midsole bottom surface, the outsole heel portion being adjacent the midsole bottom surface;

    an upper extending up from the midsole;

    a sole stiffening member having a connecting portion, a forefoot engageable portion extending generally forward from the connecting portion, a heel engageable portion extending generally rearward from the connecting portion, a medial wing portion extending generally medially from the connecting portion, and a lateral wing portion extending generally laterally from the connecting portion, the forefoot engageable portion secured to the midsole bottom surface, the heel engageable portion secured to the midsole bottom surface, the medial wing portion having a medial distal tip portion, the lateral wing portion having a lateral distal tip portion, the medial and lateral wing portions being positioned such that at least a portion of a straight line segment extending from the medial distal tip portion to the lateral distal tip portion is spaced over at least a portion of the midsole top surface, the portion of the midsole top surface

being between the portion of the line segment and a portion of the midsole bottom surface, the sole stiffening member being adapted to provide increased support in a shank area of the shoe.

14. (original) A shoe as set forth in claim 13 wherein the forefoot engageable portion of the sole stiffening member is between the midsole bottom surface and the outsole forefoot portion, and the heel engageable portion of the sole stiffening member is between the midsole bottom surface and the outsole heel portion.

15. (original) A shoe as set forth in claim 13 wherein the forefoot engageable portion of the sole stiffening member includes a medial tab and a lateral tab, the medial tab extending from the connecting portion toward the midsole medial side surface, the lateral tab extending from the connecting portion toward the midsole lateral side surface.

16. (original) A shoe as set forth in claim 13 wherein the sole stiffening member has a sole stiffening member hardness and the upper has an upper hardness, the sole stiffening member hardness being greater than the upper hardness.

17. (original) A shoe as set forth in claim 13 wherein the sole stiffening member provides increased support in the shank area of the shoe in a vertical direction.

18. (original) A shoe as set forth in claim 13 wherein the sole stiffening member is adapted to interact with the midsole such that a portion of the midsole bottom surface adjacent the sole stiffening member is compressed as the shoe bends during use.

19. (original) A shoe comprising:

a midsole having a midsole bottom surface, a midsole top surface, and midsole medial and lateral side surfaces extending up from the midsole bottom surface;

an outsole having an outsole forefoot portion and an outsole heel portion, the outsole forefoot portion being adjacent the midsole bottom surface, the outsole heel portion being adjacent the midsole bottom surface;

an upper extending up from the midsole;

a sole stiffening member having a connecting portion, a forefoot engageable portion extending generally forward from the connecting portion, a heel engageable portion extending generally rearward from the connecting portion, a medial wing portion extending generally medially from the connecting portion, and a lateral wing portion extending generally laterally from the connecting portion, the forefoot engageable portion secured to the outsole forefoot portion, the heel engageable portion secured to the outsole heel portion, the medial wing portion having a medial distal tip portion, the lateral wing portion having a lateral distal tip portion, the medial and lateral wing portions being positioned such that at least a portion of a straight line segment extending from the medial distal tip portion to the lateral distal tip portion is spaced over at least a portion of the midsole top surface, the portion of the midsole top surface being between the portion of the line segment and a portion of the midsole bottom surface, the sole stiffening member being adapted to interact with the midsole such that a portion of the midsole bottom surface adjacent the sole stiffening member is compressed as the shoe bends during use.



20. (new) The shoe of claim 1 wherein the midsole bottom surface contacts the outsole forefoot portion and the outsole heel portion.